

Kevin H. Sharp

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

PERMOBIL INC.,

Plaintiff,

v.

SUNRISE MEDICAL HHG, INC.,

Defendant.

Civil Action No.: 3:11-cv-00503

Judge Kevin H. Sharp

Mag. Judge E. Clifton Knowles

**PLAINTIFF PERMOBIL INC.'S MOTION FOR LEAVE TO CORRECT
CERTAIN EXHIBITS TO ITS PENDING SUMMARY JUDGMENT BRIEFS**

Plaintiff Permobil currently has three motions for summary judgment pending before the Court:

- Permobil's Motion for Summary Judgment of Invalidity Pursuant to 35 U.S.C. § 112 (Dkt. No. 63) (the "112 Motion");
- Permobil's Motion for Summary Judgment of Invalidity For Obviousness Under 35 U.S.C. § 103 (Dkt. No. 64) (the "103 Motion"); and
- Permobil's Motion for Summary Judgment of Non-Infringement (Dkt. No. 65) (the "Non-infringement Motion") (collectively, the "Motions").

Permobil also has filed a Memorandum in Opposition to Sunrise's Motion for Summary Judgment of Infringement (Dkt. No. 76) (the "Opposition Memo"). The parties' respective reply briefs are due on September 28, 2012.

In support of its Motions and Opposition Memo, Permobil attached reports from its expert, Dr. Mark Richter, as exhibits to its Motions and Opposition Memo. All of the Richter expert reports submitted with Permobil's summary judgment briefs were signed and dated and included a statement from Dr. Richter that "I believe all facts I state herein are true and correct to